Bombay Gazette.

Wednesday, May 7, 1817.

Volume 28.) (Number 1405.

Advertisement.

A PACKET is now open at this Office for the transmission of letters to England by the *Swallow* free trader, which will close on or about the 20th instant.

R. SNOW,
H. M. D. P. M.

Bombay General Post Office,
7th May, 1817.

A CARD.

To-morrow, Thursday the 8th Instant,

Boyce, Kempt and Co.

WILL SELL

BY

Public Auction,

THE

HOUSEHOLD FURNITURE &c.

OF

J. Kaye Esq.

AT HIS HOUSE,

NEAR the MOUNT.

The sale to commence at 11 o'Clock.

Bombay, 7th May, 1817.

Advertisement.

PROBATE of the last Will and Testament of JOHN WILLIAM KELLY, late Sub-Conductor in the Honorable Company's Commissary Department deceased, having been granted by the Honorable the Court of the Recorder of Bombay to WILLIAM BOYCE, of Bombay Merchant the sole Executor therein named, all persons concerned are hereby apprized thereof.

BROWNE,
PROCTOR.

Bombay, 7th May, 1817.

Advertisement.

LETTERS of Administration to the Estate and Effects of WILLIAM BRYERLY, late of Bombay BAKER deceased, having been granted by the Honorable the Court of the Recorder of Bombay to RODNEY KEMPT, on behalf of himself and the other Members of the Firm of BOYCE KEMPT & COMPANY, all persons having Claims on the Estate or indebted thereto are requested to make the same known to the Administrator without delay.

BROWNE,
PROCTOR.

Bombay, 7th May, 1817.

TO BE SOLD

for ready money

the following duplicates of books,

received by the

LOWJEE,

BOOTH'S Circumstantial Detail of the Battle of *Waterloo*, 9th edition } 10 Rupees.

Memoir of the Life and Character of Mr. Sheridan with his celebrated speech against Mr. Hastings. } 5 Rupees.

Leigh Hunt's Rimini a Poem. } 7 Rupees.

Three numbers of the Critical Review for August, September, and October, each number } 3 Rupees.

The Monthly Magazine for October. } 2 Rupees.

Ditto the New Monthly—2 Ditto.

Ackerman's Repository for September and October, each Number } 3

Lavinia Fitz Aubyn, a new novel in 4 vols.—boards. } 20 Rupees.

Ditto Glenarvon in 3—2d edition. } 16.

Inquire of RAGOBA DAMULJEE Sheriff's Purvoe.

Bombay, 6th May 1817.

NAUTICAL CHRONICLE & NAVAL REPORT

BOMBAY.

ARRIVED.—April 30th, American Brig Alexander, Commander David A. Neal, from Salem,— Ditto, May 1st, Ship Cornwallis, Captain Robert Graham, from Calcutta.—Ditto 3d, the H. C.'s Cruizer Thetis, Lieut. C. J. Maillard, from the Persian Gulph.—Ditto 4th, Ship Ahmoody, Captain S. Gowing, from Sea being leaky.—Ditto 6th, Brig Fanny, Captain J. B. Smith, from the Isle of France.

SAILED May 2d, Ship Fazel Kurim, Captain J. A. Edwin, to the Gulph of Persia.—Ditto Ship Ahmoody, Captain S. Gowing, to Bussora.—Ditto 3d, American Ship Packet, Commander Dan. S. Cooke, to Providence.—Ditto Grab Ship Mowlar, Nacqudah Coonjee Packey, to Tellichery.—Ditto 4th, Ship Oxford, Free Trader, Captain John Lamb, to London.—*Passengers*, J. Kay Esq.; C. O. Avelino, Cornet, Madras Light Cavalry; Lieutenant Kennedy, 22d Regiment of Dragoons; Lieutenant Hodgson, 7th Regiment.

DEATH.—On the 30th ultimo, at an early age of 18, in the prime of her life, Miss Joana de Mello, the only daughter of Mr. Alexo de Mello, after a long and painful illness, which she laboured under for very near three months, breathed her last with a Christian resignation.

The extensive circle of relatives and sincere friends, to whom her delicacy of manner and amiable disposition had endeared her, will deplore with unaffected grief, the loss they must all feel on this melancholy occasion.

To THE EDITOR OF THE BOMBAY GAZETTE.

MR. EDITOR,

The inconvenience of the Colaba ferry and the badness of the road across the channel at low water between the islands of Bombay and Colaba has been invariably complained of. The inconvenience has of late been materially increased by the landing of timber on the road which frequently cuts off the communication between the two islands. This Mr. Editor is a public evil, and one which might have been the other day attended with very dangerous consequences to a family visiting Colaba in a Carriage. The timber is landed close under the sloping part of the road on the Bombay side, down which slope a Carriage naturally runs with considerable velocity. The danger in coming suddenly with such an impulse on a quantity of timber so placed is very great, and if the horses are unruly the most fatal consequences may ensue, both from the difficulty of stopping them, before they are actually on the timber, and from there not being sufficient room for a Carriage to turn. The horses in the instance I am relating, were fortunately under command, but the family consisting of a Lady and three infant children, were obliged to get out of the Carriage and walk across the Colaba channel under a burning sun. It is therefore earnestly hoped, that some means may be adopted by those having charge of the timber complained of, to prevent a recurrence of so untoward a cicumstance.

Your Obedient Servant,
5th May, 1817. A. B.

The Gazette.

WEDNESDAY, 7th MAY, 1817.

The Thetis Cruizer, arrived on Saturday afternoon from the Gulph, bringing intelligence from Europe extending down to the end of December.

Parliament had been further prorogued to the 28th of January; when we apprehend it will meet for the dispatch of business.

A second meeting took place in Spa fields on the 2d of December which was far more numerous than the first, many outrages were committed, part of the mob having proceeded from thence to the city—dividing itself into different bands. Numbers, in particular, proceeded to Newgate street and Holborn. Several armourers' shops were forced open, while powder was obtained from other shops. They moreover threatened to attack the prisons & set Lord Cochrane at liberty. Such however appears to have been the judicious conduct of Government, that several of the leaders were apprehended, and peace completely restored soon after dark. A man by the name of Pratt was severely wounded by a pistol shot in the shop of Mr. Beckwith, armourer.

It is thought, that the object of the rioters was to get arms, then to go back to Spa-Fields, to carry along with them the multitude who had assembled there, and to make themselves masters of the Tower where is an immense depot of arms. But the Governor, Maj. Elrington, had taken every requisite precaution. The moment he heard, that a riotous mob was making its appearance in the Minories, he ordered all the gates to be shut, all the bridges to be drawn up, and the drums to beat to arms; the guns were got ready to give them a warm reception, and the troops lined the walls. When the mob arrived before the Tower, a young man harangued the soldiers, and told them, that they were the defenders of the people, and not of the crown; that they were paid by the people, and not by the crown; that the moment was come for them to show their devotion to the cause of the people. But, seeing, that his speech did not produce the effect he expected, he mixed with the crowd, and, not being known, could not be arrested.

The statement with regard to Belvoir Castle having been purposely set on fire, appears to be completely unfounded.

Some disturbances broke out at Sheffield in the beginning of December, which were ascribed to the high price of the necessaries of life.

Dundee had also been in a state of uproar, considerable quantities of grain having been shipped from thence; in consequence of which the price of meal had risen.

We attach no very great importance to the Duke of Wellington's late visit to England. The report of his having made it in consequence of unexpectedly discovering a secret project on the part of Russia, to place the King of the Netherlands on the throne of France, we consider as perfectly absurd. A report to that effect was, some months ago, circulated and was treated then as it ought to be now.

Earl Moira's elevation to the proud dignity of Marquis of Hastings was gazetted on the 7th of December.

Sir David Ochterlony has been gazetted Knight Grand Cross of the Military Order of the Bath. Six of the Commanders of the Bombay and China Ships took leave of the Court on the 11th of December. We are happy to perceive, that Captain Bryden of the Ariel has been confirmed as Commander in the Challenger.

The military arrangements and political negotiations which led to the glorious termination of the Nepaul war were taken into consideration on the 11th of December by the Court of Proprietors, and resolutions of thanks to the Governor General the Marquis of Hastings, to Sir David Ochterlony & all the officers Europeans and Natives, noncomissioned officers and privates passed unanimously. Mr. Hume moved the thanks of the Court to the Supreme Council for their assiduous conduct during the absence of the Governor General, but on the suggestion of the Chairman the motion was withdrawn. A dispute appears to have broken out between America and Russia, originating from the Russian Consul in America, having been seized for committing some offence against the laws of the country for which he had been proceeded against in the Criminal Court. He protested against their jurisdiction and put himself under the protection of his Ambassador. The Emperor had demanded redress; the Americans, though they justified the act, yet, as it is added, not wishing to break off the friendly understanding subsisting between the two nations, had sent an explanation which they hoped would prove satisfactory.

The death of John Manship Esq. formerly, & for many years, a Director of the East India Company, and one of those intended to have been selected under Fox's Bill is announced in one of the papers at the age of 91, as is that of Abraham Robarts Esq. also a Director & Member for Worcester. Lord Deerhurst & Colonel Davies had started as candidates for the vacant seat in Parliament.

General Sir Thomas Maitland had returned to Malta having landed there on the 18th of October. His Excellency shortly after his arrival held a levee, at which he was pleased to communicate to the British, Maltese, and other Merchants, the gratifying intelligence, that his Majesty's Government had come to a determination to open a direct trade between the East Indies and that Island, as had already been done in regard to the West Indies. The Bill, necessary for this purpose, he informed them, would be brought before Parliament early in the ensuing Session.

By accounts from Madrid dated the 17th of December it would appear as if Cevallos had received orders to suspend his departure for Naples to which Court, as a sort of honorable exile, he had been lately appointed Ambassador.

Louis the 18th was sufficiently well on the 30th of December to give a public audience to a variety of military characters.

The Prince Regent has ordered £5000 to be advanced out of the *Droits of Admiralty*, for the relief of the poor in Spital fields and its vicinity.

By intelligence, of late date, from Italy, we learn, that Lucien Buonaparté was at Frascati with his family. We perceive it also, to be stated, that the opposition members of Parliament, who were residing at Rome, were excessively assiduous in paying their court to the Princess Borghese.

It is expected, that Earl Talbot will, in the course of the spring, succeed to the Lord Lieutenancy of Ireland. At one time, it was said, that the Earl of Hopetown was to be Lord Whitworth's successor.

We are sorry at perceiving, that Sir James Leith, Governor of Barbadoes, died of a fever on the 16th of October.—The yellow fever had been raging there, as it had at Antigua, with great violence.

The King of Spain has sent Lord Exmouth the grand cross of the order of Charles III.

We lament to state, that Lord Stanhope is no more. His death was announced in Paris on the 22d of December.

It is stated that Petion refused to admit the French Negotiation, because the latter was not instructed to proceed on the basis of Heytian independence. There is reason however to doubt the correctness of this statement.

We have been most kindly favoured with the following extract of a letter from London, dated the 6th of December, and to which we the more readily give insertion because we are perfectly assured the information it contains may be confidently relied on.

"This city is again quite restored to quietness, and I am not of opinion, that the recent tumult was so alarming from its organization, as some of the papers are studious to make it appear. From the character of its leaders and the principal movers in the riot, it was truly contemptible; nevertheless it is alarming, in so far as

it shews something openly of that perturbation which exists in the minds of vast multitudes of people, and it has agitated the quietly disposed from the vast distress that exists in almost all quarters. There is too much touchwood scattered abroad not to apprehend danger from the neighbourhood of flame. You cannot form any idea of the multitude of paupers and beggars that now infest this city; no doubt, many from the pressure of actual distress, many taking advantage of the times to work upon the feelings of the compassionate, and the most melancholy consideration is that the evil is beyond the reach of remedy through the means of private munificence, however splendid. Parliament will have an arduous Session, and yet with such a load of debt I cannot pretend to divine how the situation of the country is radically to be ameliorated—here is the onus and consequent difficulty."

The Queen had left the pavilion at Brighton, where she had been staying for a short time, but was to return, on the 6th of January, to be present at a great fete intended to be given there.

At the date of the latest accounts, young Watson had not been apprehended.

The Arch Duke Nicolas was travelling thro' the United Kingdom. He had been at the Duke of Devonshire's at Chatsworth, at Lord Harewoods in Yorkshire, and on the 23d of December he left Edinburgh for Glasgow.

The Island of Barbadoes appears to be in a very alarming state. Extended and desperate conspiracies among the Negroes had been discovered to exist.

The Dey of Algiers was re-establishing his marine with all possible speed.

Lord Cochrane was liberated from prison on the 7th of December, his fine of £100 being made up of 24,000 pence. A subscription having been opened upon the express condition, that no person should be admitted to subscribe more than one penny. The fine was paid in the following manner:—£85 in bank notes, £5 in silver and £10 in copper.

Colonel Lygon has been returned for Worcestershire.

A verdict has been given against the Chief Baron of the Exchequer in Ireland relative to his asserted right of appointment to the Clerk ship of the Pleas.

Lord Wellesley's health is said to be much improved.

Captain Harrower and his wife were living in Scotland, and Mr. Giblet had been committed to the same apartment in Newgate, which was tenanted by the Captain, for not giving satisfactory answers to certain questions put to him by the Commissioners under his commission of bankrupt.

The Chamelion had arrived in England from this country as had also the Alpheus.

The Hyperion for Bombay was in the Downs on the 6th of December.

There appears to have been a most violent tempest along the Coast of England, from Harwich to Portland, on the 14th of December.

From the *Southern Patriot*, a Charleston Paper, of the 9th of November, for the loan of which we are obliged to the Captain of the Alexander, we are happy to learn that America was enjoying tranquillity and peace. So much so indeed, that the Editor of that paper thus expresses himself "The affair between the Algerines and Lord Exmouth is the only green spot of news, on which the eye has rested for a while, amidst the barren desert that surrounds us. Without that, we should ere this, have exhibited our journal as a stagnant pool; but the breeze from Africa has given it some impulse; and an occasional gust from South America, will, we trust, still keep the waves of politics in motion."

The importation of specie into America seems to be very considerable; almost every vessel which arrives at New York, from a foreign port, is stated to have more or less of it.

The Independence, from Grenock, in particular had recently arrived with 70,000 dollars on board.

It is said, that Madame de Staël is shortly about to publish a work which will comprize an account of the administration of her father (Necker) during the revolution. We hope this report may prove to be well founded as such a production can hardly fail to be highly interesting.

In one of our subsequent columns will be found the report of a case, determined by the Court of Common Pleas, in the month of May last, relative to the validity of a marriage celebrated, a few years since, at Madras. By this decision, the question, whether the marriage act extends to India is for ever, as we conceive, set at rest, and now, it is distinctly admitted, that a binding marriage contract may, without the aid or intervention of a Priest, be entered into this country, or at least in those parts of it where English law shall be held to prevail; but tho' it may thus be considered as established, that in British India no legal necessity exists for the ceremony of marriage being performed in a church by a Priest, in so far as concerns its validity, when considered in the light of a *civil* and not a *spiritual* contract, yet no reflecting or wise man would, as we should think, enter into such engagement, particularly while he had an opportunity of being married in a church by a Priest, for tho' a marriage per verba de præsenti be binding and tho' it be good to many legal purposes, yet, we apprehend, it is very far indeed from being so as to all.

The *Amphitrite* and *Elk* from India arrived at Plymouth on the 9th, and the *Zebra* from the Cape, at Portsmouth, on the 10th of December.

We observe that Lieut. the Honorable Augustus Stanhope, of the 12th Regt. of Light Dragoons has been cashiered by the sentence of a General Court Martial held at Cambray, in France, for behaving in a scandalous infamous manner, unbecoming the character of an Officer and a Gentleman, in company with another person of the name of Twisden to draw in and seduce Lord Beauchamp to game and play with them for the purposes of gain and advantage. His Lordship is declared in the charge as ignorant of and unused to play, and, affected by the wine, he had been prevailed upon to take by the parties. Lieut. Stanhope claimed to have won 8000*l.* and Twisden 7000*l.*

Poetry.

JE NE COUCHERAI PAS QU' AVEC DEUX MATELOIS.

O, have ye not heard of the errors and blunders
John Bull makes at Paris when viewing its wonders?
How he tortures the language with fell inquisition
Of stammering and stuttering without intermission!
O, if ye have not, now attend to my tale,
And the *honte* of my countrymen learn to bewail;
How a *Lady* was treated—(though willing to *pay*)
Through a trifling mistake 'wixt an O and an A.

A Lady, resolving her purse-strings to harrass,
Took the packet one tide, and sail'd over for Paris;
She landed at night, and adjourned to the *Head*
Of Louis the Sixteenth,* and she asked for a bed.
"Oui, Oui (cried the waiter) we've one of the best,
"Pray, any thing else?—pray, Madame, say de rest."
"Stay! stay, Sir (she cried) now I'd have you to know,
"*Je ne coucherai* point qu'avec deux *Matelots*."
The man stared amazement! and grinn'd in her face!
"You impudent rascal! get out of this place!"
(She cried in a rage)—"Madame, your mistaken."
"*Sans Matelot here!*" (cried she in a taking)
"Non! non! (cried the waiter) Madame, si'l vou plait,
"Ther be *Madame Veroni* live over de way;
"But give me de Louis, and mine be de care,
"To get you *Deux Matelots* for your own share."

"And that in all matters I may be prepared,
(Said the Lady) take care that the bed-clothes are air'd."

The lady took supper—by torch-light was led,
By the waiter, loquacious, to look at the bed;
They enter'd the room!—Now, forgive me, ye railers,
If 'twixt the bed *clothes* there lay *two strapping Sailors*!

"You impudent villain!"—Non *Madame*, you know,
"*Je ne coucherai point qu'avec deux Matelots*,"—
Were your very last words; and see I have cared
That de Sheets and de Blankets be properly aired."
"Asked I not for deux *Matelots*? speak.—let me hear.
"Well? Voila, Madame,—deux *Matelots* here."
"Though to speak *much* in *French* I aid down as my rule;

"'Twas two *quilts* that I meant you impertinent fools"
"Two *quilts*, ah! ma foi!—Madame, look here,—voila,
Two *quilts* in our tongue, he de deux Matelas:
Matelot be de *Sailor*, so, *Madame*, forgive me,
I did think that you—wanted the *Sailors*,—believe me.

The Sailors down stairs by the waiter were led,
And *Madame*—went biting her fingers to bed,
And from this learn'd a lesson, unfortunate wench!
Where she *could* gabble *English*, to—*never talk French*.

* An Inn in Calais. H. T. J.

THE SEAMAN'S FAREWELL TO H. M. SHIP *MONTAGUE*; CHATHAM,—JULY 13TH 1816.

Farewell to the MONTAGUE! yet e'er we quit thee,
We'll give thee the blessing so justly thy due;
For many a seaman will fondly regret thee,
And wish to rejoin thee, thou gem of "True Blue!"

For stout were thy timbers, and stoutly command
In the record of Glory untarnished thy name,
Still ready for battle, when Glory demanded,
And ready to conquer, or die in thy fame.
Farewell to thee, HEYWOOD! a truer one never
Exercised rule o'er the sons of the wave!
The seaman who serv'd thee, would serve thee for ever,
Who sway'd, but ne'er fettered, the heart of the brave.

Haste home to thy rest, and may comforts enshrine it,
Such comforts as shadow the peace of the best!
And the wreath thou deservest, may gratitude twine it,
The band of true seamen thou never opprest.

Farewell to ye, Shipmates, a home for our haven,
May our hardships now fade as a dream that is past;
And be this true Toast to the MONTAGUE given,
She was our best ship, and she was the last!

English Extracts

RIOTS IN THE METROPOLIS.

The city of London has not for many years exhibited such a scene of outrage and tumult as that which took place yesterday. It was easily perceived a few days ago, from the preparations which were making on the part of Government, that there was pretty good reason to suspect that an attempt would be made yesterday by the disaffected to incite the lower orders to acts of riot and devastation, and that the meeting in Spafields was merely a pretence for the dissolute and disorderly to assemble, and proceed thence to disturb the peaceable part of the metropolis. It would seem, indeed, from every thing which has transpired, that a system had been organized by Hunt and his followers to raise the standard of insurrection, at least, if not of rebellion.

The public business of the Mansion-house was on the point of commencing, when the Lord Mayor received information of a riotous party having separated from the meeting at Spafields, and advanced towards the city. His Lordship immediately left the Mansion-house and went to Guildhall, where he was joined by several magistrates and a large party of police. The first direction he took was towards Snowhill, at which place he was informed the rioters were assembled; but they had passed farther into the city before his Lordship arrived there. This party was first collected in the following manner:—At the meeting in Spafields a person started up in one quarter before the pretended business of the day had commenced; & addressed those immediately round him, exhorting them to make a stand in favour of their own cause. He concluded with these words: "There are 5,000 men in this place able and willing to follow me into the city, where we can teach them to relieve us." This harangue was delivered from the top of a cart; and the moment it was concluded the orator descended, whereupon three flags were displayed, and a great number of people rushing to the standards, directed their course into the city, in the direction of Holborn. We could distinctly see upon one of the flags the following inscription:—"We consider the Soldiers our Friends and Fellow-citizens, and will treat them as such." On reaching Skinner street, Snowhill, one of the body advancing before the rest entered the shop of Mr. Beckwith the gun-smith, calling out "Arms, arms!" A gentleman who happened to be in the shop, named Pratt (a warehouseman, some accounts state, in Cateaton-street; others make him a resident at Brixton) affably attempting to remonstrate, said," My friend, you are mistaken; this is not the place for arms." The ruffian instantly drew forth a pistol, and lodged the contents of it in the hip or groin of Mr. Pratt. The wound, we are happy to hear, is by some not considered mortal. Three other fellows who are by this time entering the shop, suspecting by the report that their leader was shot, turned round and fled in haste. The shop-door was instantly closed upon the assassin, whom Mr. Beckwith's shopman with great spirit seized, and hurried into the back-shop, where he was given in charge to a constable, who negligently permitted the prisoner to go up stairs. The latter instantly sprung to the window, threw up the sash, waved his handkerchief and addressing the mob, assured them that they had nothing to fear, as there were but few persons in the house, and he might easily be rescued. Hereupon the mob attacked the house, and besides committing various ravages, carried off the prisoner as he had excited them. On their departure, they also plundered the shop of a quantity of guns pistols, &c. Fortunately a number of fire-arms were deposited out of sight, which they did not find. These afterwards were safely lodged in Newgate. The ruffians, thus armed, pursued their course into the city, with the view, it was apprehended, of attacking the Bank. They proceeded along Cheapside, they loaded and discharged their pieces, and displayed various menacing gestures, as if to intimidate the spectators. Having arrived at the Royal Exchange, they entered that building in marching order. Here they were met by the Lord Mayor, Alderman Sir James Shaw, and a strong party of the police under his Lordship's orders. As soon as the greatest part of the rioters had passed through the north side, directions were given to close all the gates leading out of the Exchange, by which means three men with arms, having on them the name of Beckwith, were taken into custody. Sir James Shaw, we learn, seized the man with the colours, and one of the guns.

The remainder of the insurgents became exceedingly furious on learning the capture of their comrades and their banners; and not being able to force the Exchange gates, they raised each other upon their shoulders, and fired over the top of the gates at the Lord Mayor and his party, whilst others fired under the gates. A fresh force however arriving to his Lordship's aid, the ruffians departed, taking the direction of the Minories, where they entered the shops of Mr. Brander and Mr. Ray gunsmiths. From the former they took a quantity of arms, and from the latter they seized not only guns and pistols, but we understand also plate to a considerable amount. They also took from the premises of Mr. Ray two small brass field-pieces on wheels, one of which was afterwards seized and lodged in the Mansion-house. They entirely destroyed all the windows and window-frames in the house of both these tradesmen. The freebooters then, it is said, went to join a strong party which were assembling in the vicinity of Limehouse. Happily the plunderers did not look into a store-house belonging to Mr. Brander, which contained at least 3,000 stand of arms. A party of horse was afterwards stationed in the Minories to protect the arms and valuable shops in that quarter. Many of the gunmakers in the eastern part of the town sent their arms to the Tower for protection, where, it is said, they were refused admission. All the prisons in and round the metropolis were put into a state of defence, and had some of the military stationed within for protection. As far as we can learn, none of the persons under previous confinement evinced the least disposition to refractory conduct.

The city was well furnished with soldiers, both horse and foot! the horse paraded all parts of the metropolis during the evening and the night, and preserved order every where.

The Bank and East India-House were provided with sufficient force to repel any attack, and the City Militia kept watch in the Royal Exchange.

The Inns of Court had their gates closed, and the shops in almost all the principal streets of the city were shut up.

In consequence of the recommendation of the Lord Mayor, the respectable inhabitants of the several Wards pressed forward to be sworn in as special constables; and in Candlewick Ward alone more than one half of the householders were enrolled in less than an hour. It is supposed that several thousands were upon the whole sworn in, and among others, the members of Lloyd's and the Stock Exchange.

Two of the ruffians who were seized yesterday, and taken up to the committee-room at Lloyd's are named Cooper and Cashman; the first a shoemaker; the second a sailor. They were both taken with arms in their possession, one of them had his pistol loaded. The sailor said, on being questioned by the City Marshal, that he had but one life to lose, and he did not care; he had no work, could get none, and could not starve. Being asked where his parish was, he said he was born at sea, and had no parish. Cooper would not answer any question put to him; he would only say his name was John Cooper.

A portion of the mob from Spafields, after indulging themselves for an hour or two, proceeded by the way of St. Giles's, and down Catharine-street into the Strand, making pretty free wherever it suited their purpose. Holywell-street, St. Clement's, seemed particularly to invite them. Their chief object of attack there, about seven o'clock, was the Dog tavern. They broke almost all the front windows, and carried off all the whole of the exposed larder. Next they assailed the premises of an elderly man, a Mr. Gilbert, who sells a variety of clothing articles. From his shop, after smashing a few panes, they took different articles of wearing apparel. Thence in the same narrow street, they proceeded to a piece broker's of the Israelitish name of Levi, where they helped themselves to whatever his second-hand assortment afforded them of great coats and undercoats, waistcoats, and other convenient articles of dress. On their march they did not forget altogether their patriotic friends at the gin-shops, but took care to have a few drops of reform cordial gratis. There were strong symptoms of the disposition of the misled mob about Lambeth and the adjacent roads at four o'clock, but these manifestations of a spirit of rioting was happily checked by the march of a body of the military over Westminster-bridge into St. George's-fields, which consisted of a detachment of of foot-guards and of dragoons, followed up by more foot-guards and artillerymen, all with bayonets fixed or swords drawn. The effect of this was to cause the would be depredators to skulk into lanes and corners, and mutter the discontent which they were afraid openly to avow. Numerous straggling parties ran about the westend of the town, which attracted numbers of gazers, who, without any criminal intention, were groupedtogether, expecting events that did not occur.

We must not forget to add, that the prime leader and cause of all these disturbances, rode from Spafields to his tavern in Bouverie-street, with an air of insolent triumph, instead of that depression which would have become the man who had indirectly, at least, given rise to outrage, and perhaps to murder. He rode on horseback, in the midst of an immense cavalcade, and occasionally stopped to enjoy the applause which his misguided victims showered upon him. He "doffed his hat," and bowed on all sides to those whom he must in his heart have despised for being the tools of so stupid and profligate a demagogue as himself.

[*The Times*,—*December* 3.

SPA-FIELDS MEETING.

Between eleven and twelve, crowds of persons proceeded to Spa-fields, where there might be at first about 8000 persons. In the field was a coal waggon, upon which were mounted about 20 persons, chiefly in the dress of sailors. Several flags were displayed; *two tri-coloured ones*, on one of which was the following inscription:—

Nature, Truth, and Justice!
Feed the Hungry!
Protect the Oppressed!
Punish Crimes!

On the second tri-coloured flag no inscription.

On a third white flag was inscribed in red letters, the following:—

The brave Soldiers are our Brothers; treat them kindly.

Many had bludgeons, and others pockets full of stones.

One person in the waggon then addressed the Meeting in the following strain:—"I am sorry to tell you our supplication to the PRINCE has failed. He, the father of his people, answered—'My family have never attended to Petitions but from Oxford and Cambridge, and the City of London.' And is this Man the Father of the People? No. Has he listened to your Petition? No. The day is come. (*It is—it is* from the mob). We must do more than words. We have been oppressed for 800 years since the Norman Conquest. If they would give ye a hod, a shovel, a spade, and a hoe, your mother earth would supply you. (Aye, aye, she would. *Loud applause.*) Countrymen, if you will have your wrongs redressed, follow me. (That we will—*Shouts*).

WAT TYLER would have succeeded had he not been basely murdered by a Lord Mayor, WILLIAM of Wykeham.—Has the Parliament donetheir duty?—No.—Has the Regent done his duty?—No—No. A man who receives one million a year public money, gives only 5000*l.* to the poor. They have neglected the starving people, robbed them of every thing, and given them a penny: ox beef and cold soup, is that fare for Englishmen? Is this to be endured? "Four millions are in distress; brothers in Ireland (quoting the words of the seditious Hand bill issued last Thursday) are in a worse state, the climax of misery is complete, it can go no further." (It shall go no further, was clamoured out by the mob.

The persons on the waggon then descended with the Flags. The Constables immediately laid hold of the Flags. Some persons attempted resistance, and two were therefore taken up forthwith and sent to prison. The Constables succeeded in getting one of the Flags.

When the second flag wasdisplayed, it was supposed that it headed Mr. HUNT's procession, and there was a loud huzza, which stopt one of the waggon orators for five minutes.

At the end of the last speech, inviting the populace to follow the speaker from the waggon, a great many rushed from the fields, and took the direction of Newgate-street, Holborn, &c.

At five minutes before one, Mr. HUNT arrived in a tandem, and began to address the populace. But we defer what he said for the present, in order to pass on to other scenes.

The crowd that first left the fields proceeded with

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a flag at its head to Newgate-street and Holborn. There they procuredarms. At one shop they forced arms and powder to be given them, and fired some discharges in the air.

Mr. Ecc, the gun-smith, opposite our Office, has shut up. The shops in Fish-street, Ludgate-hill, and Fleet-street-street, are closely shut up. There is a report that one man has been shot who would not give arms.

It is now two o'clock while we are writing. Shops are shutting up. We shall make some further Editions.

[*The Courier,—December* 2.

The following has been sent to us as a deposition made by Mr. Platt:—

"On the 2d of December, at half past 12 o'clock. Mr. Platt went to the shop of Mr. Beckwith, a gun-smith, in Skinner-street, to speak about the repair of the lock of his gun. As he was quitting the shop, a young man appeared at the door with a pistol in his hand. He entered the shop, crying out, "Arms! arms! I want arms!" He cocked his pistol, and presented it at Mr. Platt, who attempted to seize his arm but failed, & he presented the pistol at Mr. Platt's belly, fired it, and the ball entered near the navel. He then attempted to strike Mr. Platt with the butt end of the pistol; but Mr. Platt seized him, & the pistol either fell to the ground, or was taken from him by Mr. Beckwith's man. Mr. Platt exclaimed, "This man must be secured!" and placing himself near the door, desired the person who had fired the pistol to retire into the back shop, or counting-house, into which Mr. Platt followed him. Mr. Platt said to him, "You have shot me—" Oh! exclaimed he," I am a misled young man. Ihave been to Spafields. Send for a surgeon —I am a surgeon myself. And he desired a constable, who had now arrived, and emptied his pockets, to show his lancets." These," said he," will convince you I am a surgeon." (I) He wrung his hands, bit his hat, and frequently exclaimed. "Oh! I am a misled young man!" Mr. Platt asked him, whether the pistol were loaded with a ball or slug! He answered, "I do not know." A person said in an angry tone, "You must know what it was loaded with—was it not a ball?" He said, "I believe it was." Mr. Platt, the man who fired the pistol, and several other persons, remained in the counting-house for nearly a quarter of an hour, when the mob broke into the shop, and Mr. Platt was obliged to make his escape over a wall at the back of the house. He went to the house of a Mr. Barnard, a printer, where Mr. Beveridge, a surgeon in Newgate-street, first saw him, and he took him to his country-house, at Brixton."

The Doncaster Gazette gives the following account of the disturbances at Shafield:—On Tuesday, at Shafield, a great concourse of people assembled together in a riotous manner, and proceeded to a place called the Burying-ground, one of them carrying a loaf of bread (dipped in blood) stuck upon a long pole, and breaking several windows as they went along. The Magistrates, we understand, having had some intimation of their intentions, immediately called out the constables, the yeomanry cavalry, and the cavalry from the barracks; when, on their arrival, Colonel WORTLEY jumped off his horse, dashed among the crown, and seized the principal leader, John Blackwell, a tailor, who was conveyed through this place in the evening, on his way to York Castle. The mob then dispersed without further mischief, and every praise is due to the Magistrates, &c. for their activity on the occasion. All the constables and cavalry have orders to hold themselves in readiness at a minute's notice, should they again be wanted.

GIBRALTAR, DECEMBER 28, 1816.

The Packet yesterday brought English Papers to the 13th inst., 8 days later than the London articles above extracted from the Paris Journals, and fully confirming the accounts in the latter. The Rioters, whose designs are proved to have been of an alarming and horrible nature, were dispersed in a few hours; and such of them as have been apprehended, are shortly to be brought to trial.

The latest numbers further contain the following interesting particulars:

Commodore Brown, commanding the *Count de Palma*, one of the squadrons of the Republican Government of Buenos Ayres, touched at Barbadoes on the 26th of September last, and next proceeded to leeward (perhaps to obtain supplies, or dispose of his vessel in some neutral island), having been induced to shape his course for those seas, by the intelligence he had received of the occupation of Montevideo by the Portuguese.—A squadron of independent vessels, commanded by Commodore Aubry, late of Carthagena, with 1500 or 2000 French Officers and others (among whom were many Kentuckymen) on board, took possession, in the name of the 7th of September, of the castle and town of Matagorda, a small distance beyond the Louisiana boundary. A communication was immediately opened with the Mexican Government, and numbers of Spanish vessels had already been carried and condemned there.—Havannah accounts state, a body of the Mexican Insurgents, amounting to between 4 and 5000 men, to have been repulsed with considerable loss, in an attack upon the new Viceroy on his march from Veracruz to Mexico; while another division is represented as completely successful against the Royalists at Orizava, and having subsequently occupied the villages on the coast to the southward of Veracruz.—Letters, of the 26th September, from Curacoa, also state, that another landing had been effected by the Patriots on the Spanish Main, and that they had obtained possession of Barcelona, after defeating the Royalists under General Lopez; but accounts from Laguira, to the 5th of October, mention a report, that, Lopez, having joined General Morales with the remnant of his troops, had again marched upon Barcelona; and, that on the approach of the Royalists, the Patriots, after plundering the place had abandoned it with great precipitation. A Treaty has been opened by the French Goverment with Petion. Two French Commissioners, and eight Gentlemen, formerly Planters of St. Domingo, arrived at Port-au-Prince on the 5th October, and landed under a flag of truce.—A serious misunderstanding has taken place between Russia and the United States of America. The Russian Consul-General, Klosoff, having been indicted and punished, say the American accounts, for a criminal offence committed in Philadelphia, the Emperor, his master, has conceived this to be an affront towards himself in the person of his Consul; and accordingly, M. Daschoff, his Minister, has notified to the American Government, that his mission was at an end.

American Papers,

Interesting.—By letters from St. Thomas, we learn, that General Marino was on the eve of capturing Cumana and Barcelona with a strong patriotic division. General Bolivar had arrived at Carupano, it is said, with the intention of joining his exertions to those of his friends and companions in arms and misfortunes. Commodore Brown with his fleet, was in the gulf of Paria; and the Spaniards are reported to be of inferior force—The island of Margarita was still under the Patriot flag, which was waving in every part.

The preceding, we think, may be relied on. It comes directly from a gentleman in St. Thomas's, to his friends here.

[*Southern Patriot,—Nov.* 9

ESSEX REGISTER.

SALEM—WEDNESDAY, OCTOBER 23, 1816.

The most interesting subject under the public eye is the conduct of some Spanish vessels in the Bay of Mexico to armed vessels sailing under the commission of the United States. It is well known, that for twenty years the Bay of Mexico has been the place of lawless depredations upon commerce. As soon as Spain was engaged with France, not only did the island of Hispaniola afford protection to the persons engaged in these expeditions, but even Cuba itself. And at no period since has the Bay of Mexico been safe to commerce. It is well known that even our own portion of the coast afforded shelter to vessels engaged in plundering the defenceless, and it was one of our first acts to destroy a nest of pirates at the mouth of the Mississippi. The continual vexatious might easily lead to strong suspicions, and the new causes of national jealousy might easily produce an act of violence, which nothing but a national appeal can be deemed sufficient to explain. We dare not think that Spain is in a condition for war The interruption of the commerce of her colonies, and the fear that she must abandon them, must produce an irritation which cannot easily be concealed in the most prudent nation. But the aid which her colonies might receive from our States, which might be rendered decisive of their independence, and the little ability Spain discovers to maintain a vigorous war with our States, and indeed with all America, may lead us to suppose that every act of violence is an expression of the wishes of Spain, not the intention. But from such violence arises an obligation to let nothing depend upon chance, and our States ought to have every preparation as much as if war had been declared We should have a powerful marine force in the Bay, and a sufficient military force to co-operate by land. Nothing can be wrong in such precautions, and we may be sufferers without them. A war with Spain is not the ambition of the United States, but it is the duty of all our citizens to be ready to resent every insult, and to require the most satisfactory explanations. If Spain is determined to call in question any of our claims, the sooner we know the grounds of the controversy the better. We have not more to lose by the friendship of Spain, than we may hope to gain from the freedom of all North America. It is unworthy of good policy to interfere in the affairs of other nations, but when their claims are like our own, we owe much to sympathy, interest and duty. We are convinced the Spanish character has been undervalued The nation has been judged through some unworthy portion of its population, or from some unhappy defects in its government. He must be a real stranger to every thing which makes a nation great, who cannot see every claim upon the gratitude of the world in some period of Spanish history. It is not then to act upon unworthy prejudices we are to be prepared, nor to resent injuries from Spain which we should not from every other nation, but from the persuasion that its present policy, so little favorable to its own advancement, may by its ill conduct be as little favorable to our generous hopes. That a war with Spain at the present time is not to arise from the necessity of it, or the hopes of it, but from that administration which may provoke it unseasonably, and if we are prepared for it, may give us advantages which in no other circumstances we could obtain. We have great objects, and if we can gain them by the indiscretion of our neighbours, the blame is to themselves. The manner in which Spain prepares for war, is thus explained by a traveller of the present century. "The Spaniards may have men, but they have no muskets. It is fourteen months since the commencement of the manufactory, and not a single musket has been produced. They have other buildings to be fitted for the use very easily. They have the most beautiful brass artillery, but field ordnance that they need, they have not. We are [illegible] war with the character of a prince who suffers things to [illegible] such condition, but it would be the greatest want of wisdom to suffer in circumstances in which resistance may be indispensable, and the reward of it sure. At home it has been said, the Spaniards are a people neither to conquer or be conquered. Abroad they are what their government renders them. The population of Spain is given in Europe at 10 millions including its Islands, but very unequally distributed, and still suffering from the provincial distinctions of their ancient governments which are not yet lost. Though it would be alike to dishonour the genius of Spain, yet it has been [illegible] its late situation has not developed [illegible] to the enemies than in the friends of its administration.

We are told that at New Orleans we are to expect some spirited remonstrances against the conduct of Spain. The adjustment of our affairs with the Indians in the neighbourhood of Florida, by the meditation of Gen. Jackson, is a favourable event. The sooner the lands on this side the Mississippi are submitted to the laws of the Union, the better. If we have a naval force in the bay of Mexico, we may soon determine what is the real state of the naval preparations which the parties in the Spanish colonies oppose to each other. It is said, the armed force from Cuba had returned soon, and had accomplished nothing. In the [illegible] Island, last season, a new arrangement of the military force of the Island had been ordered, but we have heard nothing of the success. Hostilities were expected at Buenos Ayres at the last date, but nothing [illegible] inspired. The victories which the Independents have gained do not promise so much as the Union they profess to form. Should they act together they must become invincible.

In the United States we are preparing for another session of Congress, & are engaged in very important elections. The many candidates divide the numbers, which are given in the votes, so that overbearing majorities seldom appear. Some new appointments in consequence of past resignations in the departments are expected, but the persons appointed are not known. The rapid progress of settlement makes the extinction of Indian claims in the western country an interesting concern. In Indiana a negociation has begun upon the Miami respecting some lands lying on the waters east of Vincennes. These negociations have had a success which was not expected. But the Indians find themselves unequal to war, as all expectations of aid from European nations have failed them. If they can be persuaded peaceably to withdraw, it is best, and the immediate interest of our settlements requires that they be removed from all alarms which interfering claims, especially with a savage enemy, must create. The policy has had success enough to justify a perseverance in it, and at as early a period as may be in our power. The military character of our citizens is rising throughout the Union. The several reviews of the present season in New England have left no doubt upon the subject. Governor Smith of Connecticut, in noticing the subject, has mentioned regiments of riflemen for that State. In our agriculture, notice is taken of the good crops of Tobacco in Kentucky. Attention continues to be paid to the Maps of our country. Carrigain's Map of New Hampshire is mentioned with praise. The map which Holland gave of that State before the Revolution was the best which had ever appeared, and is the basis upon which settlements may be very accurately described. We are informed, that M. Caritat, who supplied France with valuable information respecting our States, is in America with the purpose to exhibit the same work to our citizens and to enrich it with such information in addition as he has been able to obtain. We cannot know our own country too well, and should be grateful for every aid which can be afforded us.

The Governer of Lower Canada has forbidden the importation of provisions from the States. The Centinel of Boston has some pleasant remarks on the zeal to export provisions, when the complaint is we shall not have enough for home consumption.

SALEM, OCTOBER 22, 1816.

The elections of the season give no discouragement to the friends of the administration. In Albany, parties were balanced, which were before unequal. Delaware has not been represented by one party. Maryland has its majority of members for the administration. In Connecticut, the spirit of opposition is qualified by the increasing conviction of its error, and this State will have all its virtues for the service of the Union. In New Jersey, the ground already taken is kept without any desertion. New England will be soon the open friend of the measures which it adopted, in the spirit of the revolution. Rhode Island will be faithful, Vermont is truly so. New Hampshire is safe, and we trust in Massachusetts we shall prefer every thing which will tend to preserve that union in our Republican Constitution, which is the soul of our strength, and must be the glory of our nation. The convictions which are sober, and the defence which is sincere, promise duration to our hopes and to our energies.

It is not easy to distinguish the true character of parties in Pennsylvania. The distinction is so inwrought with personal and local prejudices, as to make a judgment from principles, we mean as they have been formerly professed, very difficult to those who have never been on the spot, and are unacquainted with the men. That the spirit of the state is in favor of our present adminstration of Government, we consider unquestionable.

All the information we receive, makes the election of Mr. Monroe certain. But in the present character of elections, it is believed, that the utmost vigilance will be employed, that not a circumstance should embarrass this very desirable event. Nothing will be left to chance, or be less successful from neglect.

To the Editor of the Monthly Magazine.

Sir,

My name having appeared to a statement of the finances in your Magazine, requires some explanation, not in consequence of any inconsistency in my conduct, on that account, as a political writer, but because, to those who abett indiscriminately the plans of ministers, as well as those who uniformly oppose them, it may appear so.

It is now twenty-three years that I have written occasionally on politics, and always in support of the measures of Mr. Pitt:—that is, resistance to French revolutionists, whether as republicans or supporters of Buonaparté. In doing that, I thought I was defending the interests of my country. I never got a shilling from ministers, nor solicited them for a farthing, and never wrote a line to defend them as ministers, but as the supporters of measures of which I approved. When France fell from the first rank amongst nations to a state of humiliation, which, so far from being formidable to others, excited pity, Mr. Pitt's plan was [illegible] who guided the state had not [illegible] and they are now (though undesignedly, I suppose) [illegible] it as [illegible] and opposition. [illegible] never [illegible] measures, but measures, there is [illegible] writing [illegible] against them; and I chose the Monthly [illegible] being full of useful and important [illegible] and [illegible] circulated.

I do not agree with all its political principles, but that is nothing to the purpose; you wish well to your country, and that is enough. All men are not obliged to be of one opinion in politics.

I consider all those who disguise the dangers of the country, as either acting ignorantly or interestedly, and I wish to expose them.

Whilst we were engaged in a desperate struggle, it was prudent to conceal our internal weakness; but what was prudent then is criminal now; yes, Sir, and highly criminal.

As to ministers I do partly absolve them, for I really believe "they know not what they do."

The last six months has brought disaster after disaster, and embarrassment after embarrassment; but every new trouble found them fatally unprepared, and they are equally unprepared now.

They have not money to last over the month of November; yet they count on not calling Parliament till after Christmas!

They know that the nation has no means of paying the public creditors, and the inevitable daily expences; and yet they protest against the smallest diminution of the interest of the national debt.

Delicate, honorable men! They can only save the creditors by coming to some amicable arrangement for a reduction of interest: yet they protest against such a measure as being dishonorable to the last degree. They shrink up and roll their eyes at the mention of any thing in the nature of composition, as a *demirep* undetected when she listens to a scandalous tale.

Which is the most dishonorable, to pay 15*s.* in the pound by arrangement, or to wait till necessity brings on a bankruptcy, that leaves the creditor without a shilling?

Procrastination, *that thief of time*, is human ruin; they wish to put off the evil day as long as possible, and they hope that by appearing to be horrorstruck at the idea of any diminution of the interest of the debt, they will be able to support credit, and borrow a little more.

I have sent to Mr. Vansittart a plan for a composition a year ago, but he has not, I believe, nerves or resolution to meet the evil; like men that want resolution, he will, probably, wait for the evil, let it be ever so bad, rather than lessen it by meeting at an earlier day. In writing to the Chancellor of the Exchequer I acted very candidly, for I told him, I did not expect he would listen to me, but that I wrote, in order to be able to prove when the evil comes, should I then be living that he was forewarned. Next session of parliament must throw great light on the subject,—our real difficulties will then be felt; and ministers will know the difference between the ordinary state of a nation, and the factitious one, in which England has been since the year 1797, when the Bank stopt payment.

Before that time the Exchequer was sometimes nearly empty; and we may all recollect when Mr. Pitt sent over young Boyd, the banker, to draw accommodation bills from Hamburgh, in order to raise money.

Since 1797, ministers have had the wishing-purse of Fortunatus, and they have felt no difficulties for money; but now the old difficulties are returning, without their being either expected or prepared for.

I shall write to you again on this subject, for, being convinced, as I am, of the approaching danger, I should hold myself blameable, and highly so, if I did not give the alarm; and I hope I have satisfactorily proved, that, in so doing, I have not changed my manner of acting, and that my motives are the same now; that for the sake of the country I expose ministers, whom I gratuitously assisted when I thought they were acting for its benefit.

WILLIAM PLAYFAIR

OLD BAILEY.
TRANSPOSING STAMPS.

George Farmer stood capitally indicted for, on the 20th April last, at Westminster, fraudulently and feloniously tearing or cutting, or causing to be torn or cut off, a certain stamp, used in pursuance of the 55th of the King, and expressing and denominating a certain duty of two-pence, granted by the said act on every receipt for a sum amounting to 40*s.* and not exceeding 2*l.* and affixing the same upon another piece of paper, to wit, on a receipt for 3*l.* 19*s.* 1*d.* contrary to the form of the statute.

The ATTORNEY-GENERAL stated, that the prisoner, at the time of committing the offence imputed to him, filled certain offices in the parish of Limehouse; and it was due to him to state, and it could not be stated too early, that except as respected the circumstances that was about to be laid before the Court, he had, throughout his life sustained the character of an unimpeached and meritorious subject. The charge on which he was now to take his trial was of a capital nature, and, both as it affected the prisoner and the public, was of the greatest importance. The substance of the offence was, that he being a collector of taxes, and having occasion to give stamped receipts on a variety of occasions did take from paper which had been already used, stamps which had been used, and applied them to new receipts, which he was called upon to give in the course of his duty, thereby defrauding the revenue of the amount of such new stamp, and putting it into his own pocket. For some time this practice was not in the law considered as a capital offence; but the frequency of the offence, and the consequences which arose therefrom rendered it necessary that it should be so. The paper upon which the present indictment was founded was then before him, and from the view which he took of it, nothing was more manifest, than that the stamp which it bore had not been impressed upon it, but had been cut off for some other piece of paper, & had been pasted upon it. There was behind, however, a still more important question—a question which appertained to this, as well as to every like crime—namely, whether this operation had been performed with a criminal view, and for fraudulent purposes. It was suggested, on the part of the prisoner, that even admitting, for the sake of argument, that he had removed the stamp from one piece of paper to another, yet there was still no evidence of fraud; for that, in point of fact, the stamps which were so affixed were cut off spoiled stamps which he had by him, and for which he had paid. If this were really the case, there was certainly an absence of fraudulent intention; but whether fraudulent or not, it was a practice which ought [illegible] to cease, because it was extremely improper and discreditable. It was difficult to conceive, however, any other than a fraudulent purpose on the part of the prisoner, for it was well known that he had it in his power to obtain, by making the usual affidavit at the Stamp-office within six months after his first purchase of the stamps, an allowance for all which he might spoil. Nevertheless, he felt it his duty to state that in the course of his avocation he had occasion to know that stamps, in the hurry of public business, had been cut off one set of slips and transferred to others. This, as he before said, however innocently effected, was extremely improper, and he trusted would never be repeated. Under the circumstances of this case, the Commissioners of stamps had felt it their duty to

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submit the question to the Court and Jury, who on hearing the facts would be best able to judge how far fraud could with justice be imputed to the prisoner. He certainly could only prove the fact of the stamps being affixed to the piece of paper before him out of the ordinary course, but whether that stamp had been used before, he had no means of forming a judgment.

Mr. Baron GRAHAM said, he apprehended, even supposing all that the Learned Attorney had stated were proved, that there still would be such a rational doubt of his intention being fraudulent, however culpable and indefensible his conduct, that, the Jury would feel it incumbent to give him the benefit of that doubt, and acquit him. There could be adduced no proof that the paper from which the stamp had been cut before had been used; and if it had been used; inasmuch as the prisoner must have paid for the stamp, he could not justly be accused of fraud.

The ATTORNEY-GENERAL said, he certainly could offer no evidence of the stamp having been used for any other purpose than that to which it had been applied by the prisoner.

Mr. GURNEY, Counsel for the prisoner, remarked, that the thing had been done so openly, and with such an utter disregard to disguise or secrecy, that there was no foundation for believing the intention of the prisoner to be dishonest.

Mr. Baron GRAHAM agreeing in this suggestion, considered it unnecessary to call witnesses. He addressed the prisoner, however, and after pointing out the extreme impropriety of his conduct, expressed a hope, that similar practices would not be had recourse to by any persons whatever in future.—The Jury having found the prisoner *Not Guilty*, his Lordship ordered him to be discharged.

Several persons clapped, and gave other demonstrations of joy at this issue of the trial; upon which his Lordship observed, that if such indecent *ribaldry* again disturbed the Court, he should order the galleries to be locked up altogether.

The ATTORNEY-GENERAL said, there were several other indictments against the prisoner; but as he had no better evidence to offer on them than the last, he should not press them. The prisoner was then acquitted on the remaining indictments, and quitted the bar amidst his friends.

November 10.

ANN LAUTOUR, THOMAS COUTTS, EDMUND ANTROBUS, COUTTS TROTTER, and EDWARD MAJORIBANKS, *v.* CHRISTOPHER TEESDALE and BARBARA ANN his wife.

THIS was an issue directed by the Master of the Rolls to determine whether the defendants were legally married at *Madras* on the 17th *October*, 1808; and was tried before Lord Chief Justice *Gibbs*, at *Guildhall*, at the sittings after last *Trinity* term, when a verdict was found for the plaintiffs, affirming the marriage, subject to the opinion of the court on the following case.

Joseph Francis Lewis Lautour, by will dated the 4th of *June*, 1807, after bequeathing several legacies, gave all the residue of his personal estate to the plaintiffs, *T. Coutts*, *E. Antrobus*, *C. Trotter*, and *E. Majoribanks*, on trust to divide the whole into aliquot parts, equal to the number of his children at his death, and to stand possessed of one of such aliquot parts for the benefit of each child, and his or her wife or husband & family, with benefit of *accruer* or survivorship among the testator's children, in default of issue of any of them, as therein mentioned; & appointed the said last-named plaintiffs, together with the other plaintiff *Ann Lutour*, during her widowhood, his executors and guardians of his children during minority: And the will declared, That if either of his children should, before attaining the age of twenty-four years, intermarry without the consent of his trustees first obtained in writing, such son or daughter should forfeit one moiety of his or her aliquot share of his estate; and the trustees should thenceforth stand possessed of one moiety upon such trusts as would take effect concerning the same, in case such child, so marrying, were actually dead without issue.—The testator died on the 27th of *March*, 1808, leaving a daughter, the defendant *Barbara Ann Teesdale*, then *Barbara Ann Lautour*, spinster, and several other children. On the 1st of *October*, 1808, the defendant *Christopher Teesdale*, being of the age of twenty six years, & the defendant *Barbara Ann Teesdale*, of the age of nineteen years, and both being British subjects, and protestants, resident at *Madras* in the *East Indies*, caused application to be made to Sir *George Hilaro Barlow*, who was then governor of *Fort St. George* at *Madras*, with its dependencies to grant a licence for the purpose of authorizing a marriage between them at *Madras*, which was accordingly granted on the 1st of *October*; but in consequence of an application made to the said governor by *James Oliver Lautour*, a brother of the defendant *Barbara Ann*, who objected to such marriage, the said licence was afterwards, on the 2d of *October*, revoked and withdrawn. It has for many years been the custom at *Madras*, in the case of marriages between protestant Europeans, to require and obtain the previous permission of the governor, signified in writing to the officiating clergyman of the settlement; and this custom has been uniformly adhered to;—no instance having appeared to the contrary. On the 17th of the said month of *October*, the defendants went to the Black town of *Madras*, where they were attended by a Portuguese Roman Catholic priest of the name of *Entaquio*; and the marriage ceremony between the defendants was read and performed, according to the Roman Catholic form, by the above-mentioned priest, in a small room in the said town, in the presence of *J. Baker*, *I. F. Fortin*, and *S. Yttie*; the said *I. F. Fortin* & *S. Yttie* acting as interpreters between the defendants & the said *Entaquio*, when the latter spoke in the Portuguese language. The said *Entaquio* first informed the defendants that, unless they were both Roman Catholics, the ceremony would not render their marriage valid, and that it would be necessary for them to be married on their return to *England*, according to the forms of their own religion. Having stated this, he immediately afterwards, in the Portuguese language, asked the defendant *Christopher Teesdale* if he would take the said *Barbara Ann* to be his wife, and the said *Barbara Ann* if she would take the said *Christopher Teesdale* to be her husband; to which the said *Christopher* and *Barbara Ann*, respectively, assented; after which they exchanged rings, the said *Entaquio* repeating some words in the Latin language. Both the defendants subscribed their names to a certificate in the Portuguese language, which was also subscribed by the said *Entaquio*, and which, when translated into English, was to the following effect.

'I, the undersigned, certify that I married 'this 17th *October* 1808, in the presence of Mr. 'Baker, Mr. *Fortin*, & Mr. *Yttie*, a Mr. *Tees*-'dale with Miss *Barbara Ann Lautour*, accord-'ing to the rites of the Romish church.'

(Signed) 'S. *Entaquio*.'

'*Chr. Teesdale*.'—'*Barbara Ann Lautour*.'

And the said *J. Baker* and *I. F. Fortin* also subscribed the same as witnesses.—After the performance of the ceremony, the defendants remained at *Madras* for about a week, viz. till the 25th of *October*, when they embarked on board the *Preston* East Indiaman on their voyage to *England*. They did not live together, or pass as husband and wife, they remained at *Madras*, but resided in separate houses five miles distant from each other; the said *Barbara Ann* retaining her maiden name: But afterwards, in the course of their voyage to *England*, they declared themselves to be husband and wife, and cohabited together as such. They arrived in *England* in *June* 1809. On the 4th of *July* 1809, a licence was granted by the *Faculty office*, *Doctor's Commons*, *London*, for the solemnization of a marriage between the defendants, as *Christopher Teesdale*, bachelor, and *Barbara Ann Lautour* spinster, an infant, with consent of the plaintiffs, *Ed. Antrobus*, *Ann Lautour*, & *Ed. Majoribanks*, as her guardians; & on the 5th of the same month, in pursuance of that licence, a marriage was solemnized between the defendants, according to the form of the church of *England*, of which the defendants are members, and of which they were both members in *October* 1808, when the first-mentioned ceremony was performed.—The question for the opinion of the court was, whether the defendants were legally married at *Madras*, on the 17th of *October* 1808: If the court should be of opinion that they were not, then a verdict to be entered for the defendants; otherwise, the verdict for the plaintiffs to stand.—The case came on for argument on a former day in this term.

Mr. Serjt. *Copley*, for the plaintiffs, contended that the parties *were* legally married at *Madras*. The chief difficulty, he said, was to understand what objections could be made to the marriage; and as in the case of *Dalrymple* v. *Dalrymple* (*a*), which had lately come before the consistorial court of *London*, this subject had been fully considered, and was indeed almost exhausted in the able judgment of Sir *William Scott* in that case, he should content himself with stating, generally, the principles and authorities in support of the validity of this marriage. The ceremony had been performed in an *English* settlement, governed by *English* laws; the question, therefore, was, what had been the laws of *England* as to marriages antecedently to the marriage act (*b*), which was expressly confined to this country. In the early part of our history, the intervention of a priest was not necessary; and till the decree of *Innocent* III. (*c*), which required that the solemnization should be in a church, it was a mere civil contract,—that decree only superadded the consent of the church, leaving the *contract* the same as appeared from *Bunting's* case (*d*). In that case, it was adjudged that a contract *per verba de præsenti*, though not attended by consummation, was sufficient to avoid a second marriage, though followed by consummation. So, by the preamble to the second section of stat. 32 *Henry* 8, *c.* 38, it appeared that a marriage 'solemnized in the face of the church, and consummate with bodily knowledge, was liable to be dissolved by 'a former contract made, and not consummate.' So, Lord C. J. *Holt*, in *Jesson* v. *Collins* (*e*), and in *Wigmore's* case (*f*), said that a contract *per verba de præsenti* was a marriage, and not releasable; *aliter* if *per verba de futuro*, unless the contract be executed. So that, whether all the consequences of a regular marriage, as community of goods, dower, legitimacy, &c. would have resulted or not, it was clear that such a contract was absolutely binding and irrevocable. All the doubts, however, as to the consequences of such a contract, had arisen from the circumstance of the ceremony not having been performed by a priest; and, therefore, a priest *had* officiated in the present instance, the marriage was not only binding, but complete in every respect. In 1 *Rolle's Abt.* 341, tit. *Baron & Feme*, pl. 21, it was said, 'If a man and a woman be married by a priest, 'in a place which is not a church or chapel, and 'without any form of the celebration of mass, 'still it is a good marriage, and they are man 'and wife. In *Fielding's* case (*a*) the circumstances were almost exactly similar to the present: The parties protestants; the ceremony was performed by a Roman Catholic priest, in a private room, and in the Latin language; it was a contract *per verba de præsenti*, followed by cohabitation;—and it was held good, and that it avoided a subsequent marriage. Lastly, he cited The *King* v. *The Inhabitants of Brampton* (*b*), where Lord *Ellenborough* and the rest of the court recognized this doctrine.

Mr. Serjt. *Best*, for the defendants, did not dispute either the doctrine of the authorities on which the plaintiffs had relied, but contended that they did not touch the real question. The law relating to marriages, as laid down by Sir *William Scott* in *Dalrymple's* case, he admitted was the law of all Christendom, except where it was altered by the local regulations of any particular country; and alterations *had* taken place in all states, except *Scotland* and *Italy*. A marriage, to be valid, must be performed conformably to the law of the place where it was celebrated: A marriage in *France*, between two *English* minors, without the notices required by the laws of that state, would be void; & though the law of *England* did prevail, generally, in the British settlements, yet it appeared from the case, that there had been a custom, uniformly adhered to, at *Madras*, to obtain a licence from the governor for the marriage of protestant Europeans; and that, in the present case, a licence had been granted, but was afterwards revoked. Then, it was not sufficient, that the parties had gone out of the limits of *Fort St. George*; the jurisdiction of the governor extended over the whole of the settlement; and the custom must be taken to be coeval and coextensive with the existence of the settlement. The caution by the priest, to be married again, according to the rites of the protestant church, was a proof of the invalidity of the ceremony performed by him.

Mr. Serjt. *Copley*, in reply, said, that as the law of *England* prevailed in all the settlements, except where it had been repealed, the *onus* lay on the other side to shew that in this case, it *had* been repealed; – that though there had been a *custom* to get a licence from the governor, it did not follow that there was any *law* to that effect, though the governor might perhaps have sent any one, who acted in disobedience to him, out of the settlement;—and that it was a sufficient answer to the priest's scruples, that the Roman catholic faith would not admit of any ceremonies, passing between protestants, as valid.

The *Chief Justice* said that, as this was a case of considerable importance, and as the Master of the Rolls would not have sent it, if he had not thought there had been some serious doubt on the question, the court would take time for deliberation.

On this day his Lordship delivered the judgment of the court. After stating the case he proceeded thus:—Both the defendants are stated to be protestants and *British* subjects; and the place in which the ceremony was performed was *Madras*, where they resided as part of the *British* settlement there; and the question is, whether, under the laws of marriage operating on them, at *Madras*, this can be considered as a legal marriage. In order to decide this question, it is material to consider who the parties were, and among whom the ceremony took place. Now *British* subjects, settled at *Madras*, are governed by the laws of this country, which they carry with them, and are not affected by the laws of the natives. The question therefore is, whether, by the laws of this country, to which alone they are subject, and by which alone their actions are to be governed, this marriage was legal. In this country, we judge of the validity of a marriage by what is called the marriage act; but as that statute does not follow subjects to foreign settlements, the question remains, whether this would have been a valid marriage here, before that act passed. The important point of the case, viz. what the law is by which such a question is to be governed, was most ably and fully discussed in the case of *Dalrymple* v. *Dalrymple*, which has been alluded to, and the judgment of Sir *William Scott* has cleared the present case of all the difficulty which might, at a former time, have belonged to it. From the reasonings there made use of, and from the authorities cited by that learned person, it appears that the canon law is the general law throughout *Europe* as to marriages, except where that has been altered by the municipal law of any particular place; and that before the marriage act, marriages in this country were always governed by the canon law, which the defendants, therefore, must be taken to have carried with them to *Madras*. It appears, also, that by that law, a contract of marriage, entered into *per verba de præsenti*, is considered to be an actual marriage; though doubts have been entertained whether it be so, unless followed by cohabitation. In the present case, a ceremony was performed, the regularity of which it is unnecessary to discuss, because it was followed by cohabitation; all that is required, therefore, by the canon law has been amply satisfied. Indeed this was admitted on the part of the defendants, & the ground on which they rested was,—that this case was an exception from the general rule, on account of the local regulation of the place;—that a custom has existed at *Madras*, that when two *British* subjects are married they should obtain a licence from the government, and that no instance has occurred in which that rule has been dispensed with. That may be the case; it is very possible that there is no priest within that jurisdiction, who would celebrate a marriage without the consent of the governor; but that does not constitute the law; nor can it alter the law which the defendants carried with them:—That circumstance, therefore, makes no difference. Another circumstance, on which the defendants relied, was, that the priest told the parties that unless they were Roman Catholics, the ceremony would not be binding upon them:—In answer to that, it is only necessary to say that he was mistaken, and indeed, that circumstance was not much relied on. It follows from what I have stated that this was a legal marriage between *British* subjects, celebrated in a *British* settlement, according to the laws of this country, as they existed before the marriage act; and which, if it had been celebrated here before that statute, would have been valid.

Judgment for the plaintiffs.

(*a*) Reported by Dr. *Dodson*, 1811.
(*b*) 26 *Geo.* 2. *c.* 33.
(*c*) Who filled the papal chair from 1198 to 1216.
(*d*) 4 *Co.* 29 *Moore* 169. *S. C.*
(*e*) *Salk.* 437 6 *Mod.* 165. *S. C.*
(*f*) *Salk.* 438.

(*a*) *State Trials*, 5th vol. 610.
(*b*) 10 *East*, 282.

THEATRES.

DRURY-LANE.

On Saturday evening, Mr. KEAN made his first appearance, this season, as *Sir Giles Overreach*, in MASSINGER's admirable play of *A New Way to Pay old Debts*. There are few plays in which the leading character is drawn with such powerful force—none in which the plot is more artfully or more naturally constructed. It may, indeed be objected, that such a being as *Sir Giles—nulla virtute redemptum à vitiis*—never had a prototype on earth. *Richard* some times trembles at the recollection of his crimes—*Macbeth* is shaken by "compunctious visitings of nature"—but no gleam of pity, no ray of contrite feeling chequers the darkness of MASSINGER's hero—he is all shade. Yet, when we recollect that *Lord Lovell* describes him to be an *Atheist*, we must at once acquit the author of having over-coloured the character. An *Atheist*, actuated by the strongest feelings of ambition, and possessing the means of gratifying his darling passion—divested of the feelings which ordinarily actuate men—contemning the powers which govern here, and laughing at the idea of an hereafter—would probably act as ferociously as *Sir Giles* did. This character belongs to that *genus* of parts in which Mr. KEAN appears to far more advantage than in any other. Where black and baleful traits of character are to be described, or where terrific passion is to be expressed—the insidious cunning of *Iago*, the subtle flattery of *Richard*, or the fury and despair of *Sir Giles*—he appears to enter, intuitively, into the very soul and spirit of his author. His portraiture of the kindlier affections of our nature is not so fine. There are indeed, as in his *Hamlet*, his *Othello* and his *Penruddock*, occasional traits of strong feeling—but, these excluded, the rest is harsh, stern, and unbending. Amidst the "vapours, and clouds, and storms of passion," he moves without an equal. His tenderness rarely subdues—his passion always appals and terrifies. This effect is produced by various concurrent causes—the peculiarity of his deep and dissonant voice—the manly and appropriate energy of his action—his wonderful command of feature, particularly of that grand feature, the eye—the index of our passions, the reflector of our feelings.

"A single look more marks th' internal woe,
Than all the windings of the lengthen'd oh!
Love, anger, fury, envy, scorn, despair,
And all the passions, all the soul is there."

Mr. KEAN exerted himself in an extraordinary degree on Saturday night. He was hailed, on his first appearance, with shouts of applause, which continued for several minutes. Indeed, although we are pleased to see every performer receive his due meed of approbation, we thought there was "something too much of this;" and a part of the audience expressed a similar feeling. Mr. KEAN's delineation of the character of *Sir Giles* was vigorous and masterly. We have seen Mr. KEMBLE and Mr. COOK in the part. The former was admirable in describing the servility with which *Sir Giles* receives *Lord Lovell*, the latter was most happy in depicting the savage and sarcastic features of the character. Mr. KEAN combines the merits of both—in many instances he goes beyond them. This remark is peculiarly justified by the excellence of his last scene, than which it is impossible to imagine any histrionic effort more grand or noble—more abounding in genius, or more true to nature.—The brutal and vulgar exultation with which he enters *Lady Allworth's*—an exultation founded on the supposed union of his daughter with *Lord Lovell*—his rage at the defiance thrown out to him by his nephew—his agonizing disappointment, when, instead of a regular deed, he finds "a fair skin of parchment," which is still farther increased by the treachery of *Marall*—were expressed with inimitable fidelity. Still, however, *Sir Giles* is not wholly abandoned of hope. The idea of the marriage of his daughter, of his *Right Honourable* daughter, absorbs every other feeling—and, in a paroxysm of joy, he marks her approach—but fury and despair take possession of him, when he finds that he is cheated—that she has given her hand to *Allworth*. These different transitions were exquisitely marked by Mr. KEAN. When, burning with rage, he dared *Lord Lovell* to the fight, the line of STATIUS immediately occurred to us—

"Major in exiguo regnabat corpore virtus."

The look with which he regarded the groupe, by whose means all his plans had been defeated—just before he was carried from the stage, was terrific. It spoke, stronger than language could, the prayer of *Mrs. Beverley*—"Would my eyes were armed with Heaven's own lightning, that I might blast ye!"

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